

**9-104B. Waiver of appearance and entry of a plea penalty assessment misdemeanor.**

*[For use with Rules 6-109, 7-109 and 8-108 NMRA in the Magistrate, Metropolitan and Municipal Courts]*

STATE OF NEW MEXICO  
[COUNTY OF \_\_\_\_\_]  
[CITY OF \_\_\_\_\_]  
IN THE \_\_\_\_\_ COURT

(STATE OF NEW MEXICO)  
(CITY OF \_\_\_\_\_)

v.

No. \_\_\_\_\_

\_\_\_\_\_,  
*(name of person cited)*

**WAIVER OF APPEARANCE  
AND ENTRY OF A PLEA  
PENALTY ASSESSMENT MISDEMEANORS<sup>1</sup>**

I understand that I am charged with the following [motor vehicle] [game and fish] offense  
or offenses under the law of the (State of New Mexico) (City of \_\_\_\_\_):  
\_\_\_\_\_ *(list all offenses charged).*

I understand that I am entitled to personally appear before the court for trial.

I have received and read a copy of the citation or had the citation read to me. I understand  
the offense or offenses charged and the fine provided by law.

After reading and understanding the above, I give up my right to personally appear.

I enter a plea of [ ] guilty [ ] no contest to each of the offenses charged.

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Signature of person cited

### **APPROVAL OF JUDGE**

Permission to waive appearance is:

- ☐ granted under the following conditions \_\_\_\_\_ (*list any conditions*).
- ☐ denied.

### **USE NOTE**

1. This form may only be used to enter a plea of guilty within thirty (30) days after issuance of a penalty assessment misdemeanor citation. Do not use this form if the person cited failed to appear as required or failed to pay the fine, fees and any costs within the time required by law or order of the court. For any other plea of guilty, Form 9-104A may be used to request an audio or audio-visual appearance.

[Approved, effective May 15, 2001.]